

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

U.S DEPARTMENT OF JUSTICE, *et al.*

Defendants.

**DECLARATION OF AMY MARGOLIS,
OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH,
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

I, Amy Margolis, make the following declaration under 28 U.S.C. § 1746:

1. I am Deputy Director of the Office of Population Affairs at the Office of the Assistant Secretary for Health (OASH), a component of the U.S. Department of Health and Human Services (HHS).

2. In this role, I am responsible for overseeing the day-to-day operations of the Office, which includes administration of the Title X Family Planning Program. Through this work, I am familiar with OASH's Title X Family Planning Program, within the Office of Population Affairs, one of the newly-added programs under the HHS Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) Notice, issued on July 14, 2025. 90 FR 31232.

3. I submit this declaration in support of the Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction in the above-captioned matter. Specifically, I submit this declaration to describe (i) the federal public benefit provided by the Title X Family Planning Program; (ii) the general purpose of HHS's PRWORA Notice; and (iii) OASH's plans with respect

to the issuance of forthcoming program-specific guidance implementing the HHS PRWORA Notice.

4. This declaration is based on my personal knowledge, information acquired in the course of performing my official duties, information conveyed to me by current agency employees, and information contained in agency records to which I have access in the normal course of my duties.

5. In terms of Federal public benefits, OASH's Title X Family Planning Program provides contraceptives and other healthcare related to family planning, such as pregnancy testing, pap smears, STI testing and treatment, and basic infertility services. 42 U.S.C. § 300(a).

6. OPA's Title X family planning program awards grants authorized under Title X of the PHS Act, 42 U.S.C. § 300. HHS grant awards are subject to monitoring and oversight pursuant to HHS grant regulations, currently found at 45 CFR 75, and starting on October 1, 2025, at 2 CFR 200. To ensure compliance and lessen the need for enforcement, HHS grants management and program staff monitor the recipient's performance during the award cycle through annual progress reports, performance measure data, and compliance monitoring site visits. When a recipient's compliance or performance may require additional action by the agency, consistent with 45 CFR 75.371 (and 2 CFR 200.339, as applicable) and pursuant to internal HHS grants policy, prior to seeking termination for non-compliance, awarding agencies (including Title X) attempt to improve recipient compliance through imposing specific conditions for corrective action (45 CFR 75.207), such as providing technical assistance, conducting site visits, imposing a corrective action plan, or including other special terms and conditions in the award. However, if these conditions are unsuccessful at improving recipient compliance or the agency determines that the non-compliance cannot be remedied by imposing

specific conditions, 45 CFR 75.371 permits the awarding agency to initiate enforcement actions, up to and including termination.

7. To the best of my knowledge, the purpose of the HHS PRWORA Notice issued on July 14, 2025 was to provide notice and clarity regarding HHS's interpretation and application of PRWORA, and to identify HHS programs that provide "federal public benefits."

8. Presently, OASH is deliberating whether program-specific guidance for Title X is needed in light of the HHS PRWORA Notice.

Executed this 8th day of August 2025, in Rockville, MD.



Amy Margolis